

PORTALE | RANDAZZO

MEMO ENDORSED

February 24, 2023

Via ECF

Honorable Kenneth M. Karas
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10606

Re: *Haughey v. County of Putnam, et al.*
Docket No.: 18-cv-2861 (KMK)

Dear Judge Karas:

This office represents Defendants Putnam County and its individually named fire investigators Robert Efferen and Robert Geoghegan in the above-mentioned matter. I write today on behalf and with the consent of all counsel of record to request an extension of the Court's February 28, 2023 deadline for pre-trial submissions. While I attempted to contact Defendant Anthony Porto via email and text message, my email bounced back as undeliverable and text message went unanswered, so I am unaware of his position concerning this instant request, as well as his position concerning the pre-trial submissions generally.

This is the parties' first request for an extension of the deadline to file all pre-trial submissions. The parties request a thirty (30) day extension of the February 28, 2023 deadline to March 30, 2023. Among the reasons for the parties' requested extension, is the fact that Oscar Michelen, counsel to Plaintiff, has been engaged in a murder trial since early January 2023 in Putnam County Supreme Court defending Andrew Krivak, who was convicted in 1995 of raping and murdering 12-year old Josette Wright. Mr. Krivak is now being tried again, nearly 30 years after first being convicted, following the trial court granting his New York CPL 440.10 motion and vacating the conviction. This case is expected to be put to the jury within the next week or so, allowing counsel to prepare all pre-trial submissions in this matter in advance of the requested March 30, 2023 deadline. Moreover, preparation of the Joint Pre-Trial Order in this case is complicated by the fact that Mr. Porto is a pro se defendant and we have experienced some degree of difficulty in maintaining consistent communication with him.

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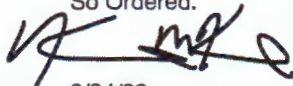
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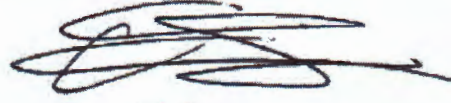
Thank you for Your Honor's consideration of this request.

Granted.

So Ordered.


2/24/23

Respectfully submitted,


Drew W. Sumner

DWS/

cc: Counsel of record (via ECF)

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